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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/599,078	09/19/2006	Hugo De Winter	349111US8PCT	3827
22850	7590	03/17/2011	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314			LEE, EDMUND H	
			ART UNIT	PAPER NUMBER
			1744	
			NOTIFICATION DATE	DELIVERY MODE
			03/17/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/599,078	Applicant(s) DE WINTER ET AL.	
	Examiner EDMUND H. LEE	Art Unit 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-58 is/are pending in the application.
- 4a) Of the above claim(s) 35, 57 and 58 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-34 and 36-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/19/06, 10/5/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 35 and 57-58 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12/29/10.
2. Applicant's election without traverse of claims 30-34 and 36-56 in the reply filed on 12/29/10 is acknowledged.
3. Claims 30-34 and 36-56 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "in particular..vehicle opening" (cl 30, lns 1-2) is indefinite because it scope of the phrase is unascertainable.

The phrase "the open mould" (cl 30, ln 10) lacks antecedent basis in the claim.

The phrase "preferably...50 mbar" (cl 31, lns 4-7) is indefinite because it scope of the phrase is unascertainable.

The phrase "preferably...mPa.s" (cl 33, lns 3-4) is indefinite because it scope of the phrase is unascertainable.

The phrase "preferably...x d" (cl 37, ln 5) is indefinite because it scope of the phrase is unascertainable.

The phrase "preferably...20mm" (cl 38, ln 3) is indefinite because it scope of the phrase is unascertainable.

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The phrase "preferably...1mm" (cl 40, ln 2-3) is indefinite because its scope of the phrase is unascertainable.

The phrase "preferably...1mm" (cl 41, lns 3-4) is indefinite because its scope of the phrase is unascertainable.

The phrase "preferably...0.4mm" (cl 42, lns 3-4) is indefinite because its scope of the phrase is unascertainable.

The phrase "preferably...material" (cl 43, lns 2-5) is indefinite because its scope of the phrase is unascertainable.

The phrase "in particular...PTFE" (cl 44, lns 3-4) is indefinite because its scope of the phrase is unascertainable.

The phrase "preferably...mixture" (cl 51, lns 4-5) is indefinite because its scope of the phrase is unascertainable.

The phrase "preferably...200 kg/m³" (cl 52, lns 4-5) is indefinite because its scope of the phrase is unascertainable.

The phrase "preferably...500 kg/m³" (cl 53, ln 4) is indefinite because its scope of the phrase is unascertainable.

The phrase "in particular...foam" (cl 54, lns 2-5) is indefinite because its scope of the phrase is unascertainable.

Correction and/or clarification are required.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following USPNs teach the state of the art:

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5489409, RE37341, 5908595, 5645785, and 5464575. The following JP patents teach the following of the art: 04226309, 04226321, and 2000117806.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571.272.1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EDMUND H. LEE
Primary Examiner
Art Unit 1744

EHL
/EDMUND H. LEE/
Primary Examiner, Art Unit 1744

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